

HOUSE BILL NO. 391

INTRODUCED BY K. FUREY

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A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A LOCAL GOVERNMENT THAT ESTABLISHES A FARMER'S MARKET TO PROVIDE A POINT-OF-SALE TERMINAL; REQUIRING THE ACCEPTANCE OF PAYMENTS BY MEANS OF ELECTRONIC BENEFIT CARD TRANSFERS OR THE USE OF FOOD STAMPS AT FARMER'S MARKETS; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Farmer's markets -- requirements for certain forms of payment -- definitions. (1) A local government that establishes a farmer's market shall ensure that a point-of-sale terminal is available at the farmer's market. A farmer's market shall accept payments by means of an electronic benefit card transfer or the use of food stamps for appropriate items.

(2) If a merchant at a farmer's market uses the point-of-sale terminal for accepting credit card payments, the merchant is responsible for the payment of transaction fees.

(3) As used in this section, the following definitions apply:

(a) "Electronic benefit card transfer" means a transaction involving a debit card used by a recipient of public assistance under this chapter.

(b) "Farmer's market" means a public market, usually held outdoors, where farmers can sell their products directly to the public. The term includes a public market described in 7-21-3303.

(c) "Food stamps" means benefits provided pursuant to part 9 of this chapter.

(d) "Point-of-sale terminal" means a computerized device that includes the ability to process credit and debit cards.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 53, chapter 2, part 1, and the provisions of Title 53, chapter 2, part 1, apply to [section 1].

NEW SECTION. Section 3. Effective date. [This act] is effective July 1, 2007.

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